

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

RESIDENTIAL CAPITAL, LLC, *et al.*

Debtors.

Case No. 12-12020 (MG)

Jointly Administered

ORDER DIRECTING PRODUCTION OF CERTAIN ORIGINAL DOCUMENTS

In the contested matter arising from the objection of the ResCap Liquidating Trust and the ResCap Borrower Claims Trust (together, the “Trusts”) to Claim Numbers 416 and 417 (the “Aniel Claims,” ECF Doc. # 8237-5) filed by Erlinda Aniel, Fermin Solis Aniel, and Marc Jason Aniel (collectively, the “Claimants”), the Claimants have requested the entry of an order requiring the Trusts to produce the original copies of the following documents (the “Requested Documents”)¹ at the trial of this contested matter:

- Assignment of Deed of Trust, dated August 24, 2009
- Assignment of Deed of Trust, dated February 1, 2011
- Limited Power of Attorney, dated August 28, 2008
- Substitution of Trustee, dated September 29, 2008

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¹ Claimants have requested production of the originals of several other documents, but the authenticity of those documents is not disputed. Therefore, the production of the originals is not required.

Federal Rule of Evidence 1002 provides that “[a]n original writing . . . is required in order to prove its content unless these rules . . . provides otherwise.” Rule 1003 provides that “[a] duplicate is admissible to the same extent as the original unless a genuine question is raised about the original’s authenticity” The Claimants have raised a genuine question about the authenticity of Requested Documents. Therefore, the Trusts shall produce the original copies of the Requested Documents at the trial, or shall produce a witness to testify as to why the originals are not available.

IT IS SO ORDERED.

Dated: March 1, 2016
New York, New York

/s/Martin Glenn
MARTIN GLENN
United States Bankruptcy Judge